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SUPREME COURT, U.S.

No. 07-706

IN THE

Supreme Court of the United States

OCTOBER TERM, 2007

JOHN MECCA , DEBORAH RAE LAMB,
Petitioner's,
vs.
UNITED STATES OF AMERICA,
Respondent.

On Petition for Rehearing
to the Court of Appeal
for the Second Circuit

PETITION FOR REHEARING

JOHN MECCA and DEBORAH RAE LAMB
119 Whittier Drive,
Kings Park, NY, 11754
Telephone (631) 360-1557
March 12, 2008 PRO SE Petitioner's

QUESTION PRESENTED

Can the United States Supreme Court as a separate branch of government using State Department and Presidential definitions via "Lex Specialis" to interpret international agreements of the Convention Against Torture that was claimed for coverage by Petitioners in their inferior court case and the Geneva Conventions, hold that Respondents interpretation for treatment is lawful where Petitioners even as non-persons are treated as follows; where Petitioners are not being physically held in restraint by Respondent and are beyond the physical contact of the Respondent, yet are put into a compromised physical condition of disorientation by Respondent during "investigation or sentence of death"; through induced torture level pain, such that Respondent has prepositioned Petitioners where they have a predisposition of accidental death. Is such treatment permissible under those legislations. Such as the treatment is in essence Russian roulette.

This question is not disregarding the original questions of the prior Writ of Certiorari.

PREFACE TO GROUNDS FOR REHEARING

A.) Petitioners call attention to their original district court complaint 06-CV-3492 (JS) as exhibit, see (EXHIBIT -2- CAT reference 06-CV-3492) at the back of this Petition for Rehearing. It's importance as an intervening issue, is where it mentions "United Nations Decree, Convention Against Torture June 16, 2004 (CAT)" is claimed by then Plaintiffs now Petitioners to be coverage for their causes of action and as a federal question, as a law breeched by then Defendants now Respondents.

Where now in this Rehearing Petition the controlling way which it influences the postulation of the issues that its mere mention together with how it is portrayed to inveigle United States Constitutional breeches, statutory breeches and common law breeches is described in detail.

Coupled to that as a fact is the further separate exhibit see (EXHIBIT -3- INDEX ORIGINAL CASE 06-CV-3492 REFERENCING TO CAT) which is the Exhibit list with additional explanation of each exhibit that under penalty of perjury does example the facts truly and correctly in support of (EXHIBIT -2- CAT reference 06-CV-3492).

Additionally the true and correct exhibits referenced to (EXHIBIT -2- CAT reference 06-CV-3492) support that authorities the Plaintiffs complained to ignored their official written complaints and police reports of normally illegal activity on them; which fundamentally implicates those complained to as accessories in the attack activity in a culpable way, codified as being culpable Respondents by the linkage of the original case caption which rightly inveigles them as associates of Respondents. Where that caption of the original case is as follows:

> "Mr. JOHN MECCA,
> Ms. DEBORAH RAE LAMB,
>
> Plaintiffs,
> -against-
>
> *THE UNITED STATES GOVERNMENT and all its entities Federal, State, Local and including all direct and or indirect government liaisons.*
>
> Defendant,"

B.) Petitioners call attention to their original district court complaint 06-CV-3492 (JS) as exhibit, see (EXHIBIT -4- Inference for Geneva Convention coverage) it's importance as an intervening issue, is where it mentions the Geneva Conventions by consistent inference by mentioning prisoners of war, Guantanamo, USA PATRIOT ACT and international secret torture jails; with the effect of then Plaintiffs anticipation of its becoming evident during discovery as a result of for example that CAT be an allowable cause of action in that Plaintiffs were not in physical custody. Which as an issue towards such an allowance is detailed further on in this Petition for Rehearing that explains how CAT and the Geneva Conventions are an umbrella of protection against then Defendants now Respondents acts on Petitioners.

GROUNDS FOR REHEARING

1.) This petition for Rehearing opens with a letter from State Representative Jim Guest. His letter about victims of egregious electronic attack addressed to his Legislature is at the end of this petition see (Exhibit 1. Rep Jim Guest). It is an intervening circumstance which has a controlling effect, where his letter as informed representative contradicts the original district judge's dismissal with prejudice 06-CV-3492 (JS) (WDW) where Judge Seybert asserts then Plaintiffs now Petitioners expounded "meritless legal theory and were delusional in her dismissal with prejudice remarks recounted in Supreme Court Writ of Certiorari 07-706 in APPENDIX C, are impossible to reconcile with the remarks of the letter from the Representative. The judges remarks conflict also with historical records as well from the FOIA records of the United States government presented in the original complaint. An excerpt from that letter is as follows:

> *"we were testing these devices on Americans, many without their knowledge or consent. With the new revelations of the cancer risk besides the privacy and human rights problems with the use of Verichip and RF signals, I am asking for your help in stopping these abuses and aiding those already affected."*

The knowledgeable Rep. Jim Guest's letter exhibit is prima facie evidence that the judge's decision in the original case and affirmation by the appeals court are necessarily mediated by it's statement as a correction to those courts mistaken opinion; that being tortured by remote control is possible and disproves remarks of the Judge in complaint 06-CV-3492 as follows:

> *"District courts may dismiss a frivolous complaint sua sponte pursuant to Rule 12(b)(6) where the claims are found to be fantastic and delusional"*

Further remarks from the judge in CV-3492 espouse incorrectly that Plaintiffs engaged in "meritless legal theory" where the issue now is that Rep. Jim Guest's letter authoritatively and clearly contradicts that opinion to the degree logical minds bent on justice would have allowed discovery under FRCP V.- Rule 26.-(b), where plaintiffs proved with an IEEE test that they are being tortured :

> *" The in forma pauperis statute accords judges not only the authority to dismiss a claim based on an indisputably meritless legal theory, but also the unusual power to pierce the veil of the complaint's factual allegations and dismiss those claims whose factual contentions are clearly baseless. Examples of the latter class . . . are claims describing fantastic or delusional scenarios, claims with which federal*

district judges are all too familiar."

2.) Plaintiffs now Petitioners have had their several Constitutional and International United Nation "Convention against Torture" (CAT) rights abrogated by the courts, where they were claimed by then Plaintiffs; is an intervening circumstance that has a controlling effect now supporting rehearing; where Petitioners then Plaintiffs are quoted below in their lower court complaint, for their claim of coverage by CAT in an excerpt from exhibit see (EXHIBIT -2- CAT reference 06-CV-3492) it's partial verbatim text is as follows:

> *"3. Legislation breeched:*
> *United Nations Decree CAT (Convention Against Torture June 16, 2004) of which the United States is a signatory and requirement of domestic adherence.*
>
> *A.) Plaintiff's invokes the above signatory status of Defendants regarding Defendants committing torture on Plaintiffs. Defendants claim in public to be against torture, but have a track record of doing such activity. Defendants have the following pattern of exclusive capability in carrying out and attempting to conceal their torture of Plaintiffs."*

The afore mentioned quote illustrates how Plaintiffs rights under CAT were ignored by the court in contravention also to Petitioners rights for discovery under FRCP V.- Rule 26.- (b).

Where Respondents claim CAT does not apply regarding "non persons" without rights as Prisoners or they're under Patriot Act Investigation, the issue is that a prisoner is held physically against their will. As Plaintiffs now Petitioners are not being physically held against their will as a prisoner

they therefore have CAT rights.

Petitioners have the support of a recent District Court decision by affirming the CAT. In the U.S. District Court for the Middle District of Pennsylvania, in case Khouzam v. Hogan 3:CV-07-0992; where the decision in that petition was found for the Petitioner, regarding his legal right not be to extradited to Egypt where he had been tortured. The Judge in that case

Thomas I. Vanaskie the United States District Court made remarks that clearly underscore and uphold the CAT in the quote from him as follows:

> *"Not even the President of the United States has the authority to sacrifice on the alter of foreign relations the right to be free from torture"*

Such a decision is relevant to illustrate Petitioners do have CAT rights over the objections of the current administrations directives not to hear torture cases and over the implied restriction of current legislation used to enforce refusal to hearing such cases as well, such as the Patriot Act and Anti terrorism and Effective Death Penalty Act of 1997.

A further intervening circumstance is where Respondents then Appellees in their response brief in Appeals Court case 06-5305-cv cited Bivens v. Six Unknown Fed Narcotics Agents, 403 U.S. 388 "1971" (Bivens), which now has a controlling effect whereby Bivens being cited does ignore Plaintiffs then Appellants and now Petitioners CAT rights in light of then Plaintiffs allegation of torture. The action of cruel and unusual punishment as the issue of the original district case is claimed by then Defendants by citing Bivens to be statutorily covered for qualified immunity during their investigation of Plaintiffs; is a

contradiction not only of Petitioners rights under CAT, but also of the Geneva Convention even with wide interpretation using Lex Specialis interpretations. Not even with Lex Specialis interpretation of CAT can preclude Petitioners coverage by it or the Geneva Convention's, because the Plaintiffs then Appellants now Petitioners are not in physical custody restraint and exposing Petitioners to accidental harm. Such activities by Respondent cannot be sanctioned by any interpretation of CAT or the Geneva Convention's despite any Lex Specialis interpretation.

3.) Petitioners swear as a matter of defining themselves under penalty of perjury they are not, nor have they been or known themselves to be, advocating an overthrow of the United States Government, nor have or had any such relationship with a terrorist group, nor foreign power, nor have Petitioners engaged in training by terrorist groups or foreign power, nor knowingly contributed materially or in any way shape or form to any such afore mentioned entities or causes, and are therefore entitled to the Coverage of both CAT and the Geneva Convention's, where it's coverage relates to then Plaintiffs now Petitioner in prohibiting torture and cruel and unusual punishment of themselves.

The State Department's and Presidential definitions via "Lex Specialis" in interpreting international agreements of the Convention Against Torture and the Geneva Conventions as regard Petitioners, even as non-persons cannot allow that they are treated as follows; where they are not physically held in restraint by Respondent and also are beyond the physical control of the Respondent, where they are put into a compromised physical condition of disorientation by Respondent during *"investigation or sentence of death"* through remote control induced torture level pain. Where as well Respondent in prepositioning

Petitioners cause torture level pain and physiology alteration that can also cause heart attack, stroke and death as well as disease such as cancer, is in effect little to any guarantee Petitioners will not have as a direct result, an instant death. As well it being similar to Petitioners being set down in speeding traffic disoriented for a not guaranteed accidental death.

Respondents Lex Specialis interpretation of the Geneva Convention regarding permissible treatment of Petitioners must be restricted by this court and grant Rehearing, due to Respondents actions upon Petitioners being "*without sufficient control for a predictable outcome*", regarding Petitioners allegations of Respondents treatment of them, during investigation, arrest or sentence to death. To do otherwise would be to contradict the limitations of Lex Specialis as to what can be done under the Geneva Conventions governing the treatment of prisoners and would allow for the wholly unpredictable equivalent of Russian roulette like activities.

4. United Nations agreements on Human Rights that apply where Petitioners are eligible for other claims of coverage:

> "(1.) Covenant on Civil and Political Rights Article's 1-53 "

Which makes it a crime to do human experimentation on Petitioners.

> "(2.) Optional Protocol to the Covenant on Civil and Political Rights Article's 1- 14"

Respondents are in contravention to them.

Respondents, as the United States, being signatory to CAT and the Geneva Conventions cannot legally abrogate the rights entirely of persons or entities (not persons) as it so desires, to the degree that its actions under those International agreements are allowed to cause Petitioners accidental death as a part of lawful investigation or even sentence to death. Respondents are like a cat, toying with a mouse, until accidental death from trauma occurs and it is purposeful negligence, cruel and unusual punishment which will alienate all civilized peoples and by that effect their nations as well.

The United States cannot opt out of international treaty obligations, conventions, covenants and legal relationships of international law of which it is a signatory, because without these rules of law; international relationships will not just deteriorate but disappear.

Such a departure from the rule of law by the Respondents as United States will herald to the world they are unpredictable and by that, dangerous to the international community comprised of countries that do abide by their agreements both political and in business as well.

It cannot come to pass that United States courts do not honor International Conventions to which the United States is a signatory, otherwise the authorities of this country will be training their personnel to be as conscienceless animals, such a dilemma here is for the courts to weigh their perspective carefully so as not to allow this affront to the National Conscience to continue; by finding that such treatment of human entities is unacceptable for Respondent to engage in. To allow such interpretation of law will make it plain that there are no laws, if unchecked this behavior will reinforce a pattern that might is right, erasing the scales of justice from our country.

The Supreme Court has here at issue, a Petition for Rehearing, that has merits that go to the very heart of its purpose.

CONCLUSION

The Petition for Rehearing should be granted.

Respectfully submitted,

John Mecca March 12, 2008

JOHN MECCA

Deborah Rae Lamb, March 12, 2008

DEBORAH RAE LAMB

PRO SE FOR Petitioner's
119 Whittier Drive, Kings Park, NY, 11754 Telephone (631) 360-1557

(Exhibit -1- Rep Jim Guest)

(Exhibit -1- Rep Jim Guest)

THE GREAT SEAL
OF THE
STATE OF MISSOURI

October 10, 2007
Dear Member of the Legislature and Friends:

This letter is to ask for your help for the many constituents in our country who are being affected unjustly by electronic weapons torture and covert harassment groups. Serious privacy rights violations and physical injuries have been caused by the activities of these groups and their use of so-called non-lethal weapons on men, women, and even children.

I am asking you to play a role in helping these victims and also stopping the massive movement in the use of Verichip and RFID technologies in tracking Americans.

Long before Verichip was known we were testing these devices on Americans, many without their knowledge or consent. With the new revelations of the cancer risk besides the privacy and human rights problems with the use of Verichip and RF signals, I am asking for your help in stopping these abuses and aiding those already affected. Your attendance is therefore requested at a conference call regarding these issues on Monday, October 29, at 11 am EST. After a period of brief presentations, we will have a discussion of these issues with the intent of creating a way forward toward solutions. Here is the call-in information:

TIME/DAY: Monday, October 29, 11 am EST

CALL-IN NUMBER: 1-605-475-8590
ROOM NUMBER: 5888200

To R.S.V.P. or for questions, please call: 1-817-269-0301

Sincerely,

/s/ JIM GUEST

Rep. Jim Guest

District Office: 660-535-6664
Capitol Office: 573-751-0246

-end of exhibit 1-

(EXHIBIT -2- CAT reference 06-CV-3492)

(EXHIBIT -2- CAT reference 06-CV-3492)

3. Legislation breeched:
United Nations Decree CAT (Convention Against Torture June 16, 2004) of which the United States is a signatory and requirement of domestic adherence.

A.) Plaintiff's invokes the above signatory status of Defendants regarding Defendants committing torture on Plaintiffs. Defendants claim in public to be against torture, but have a track record of doing such activity. Defendants have the following pattern of exclusive capability in carrying out and attempting to conceal their torture of Plaintiffs.

> Defendants have broken the above law! Defendants have broken the above law! Plaintiffs cite that they have been attacked by Defendants using sophisticated electronic devices (see exhibits 6-a-o, 7-a-c, 15-a-c) was confirmed proven by (see exhibits 11-a-d) illustrating Plaintiffs have been caused symptoms of exposure to electronic emissions causing discharge of electric current into Plaintiffs tissue and that is at times well above safe standards recognized by IEEE standards and the Center for Disease Control; a fact is that Defendants have "exclusive capability technologically" in being able to do such things on Plaintiffs and torture them. Such torture effects cause not only diminished immune system but by Defendant choosing specific frequencies can cause various changes besides tortuous pain such as extreme lethargic reactions akin to Plaintiffs being held against their will unable to move, as if your body, mind, soul and health have

been kidnapped and loss of rights to privacy . Defendants have a track record of illegal behavior in breaking law and causing illness, disease and death; supporting the issue that they have such predisposition of doing illegal activities to Plaintiffs (see exhibits 2-a-h) where such exhibits illustrates Defendants "modi operandi" as proven prima facie evidence by Defendants having an "exclusive capability technologically" in doing such things on Plaintiffs in torturing them. Defendants have a track record of such behavior in breaking the law and causing illness, disease and death, supporting the issue that they have such predisposition of doing illegal activities; amounting to a fingerprint identifying Defendant as the guilty party in illegally affecting adversely and torturing Plaintiff as virtual terrorists. Such power and authority of Defendants is borne of officially conducted fraud where the issues as a whole are weighed in accordance with the true meaning and spirit of the legislation breeched; where various Defendants as the issue here is stated acted on behest of official Defendant policy, "Title 18, U.S.C., Section 1001 Fraud and False Statements". Such comprehensive fraud Defendant has officially perpetrated precludes Defendant from invoking immunity under Federal Tort Claims Act ("FTCA") or the "Tucker Act" absolving Plaintiffs from having to satisfy the procedural requirements of both; as such requirements cannot exist where Defendants fraud is the basis for all actionable causes of complaint by Plaintiffs of conspiracy to "commit fraud under and by official authority". Upon a foundation of fraud what can be lawful thereafter.

B.) Plaintiff's invokes the above signatory status of Defendants regarding Defendants committing torture on Plaintiffs. Defendants claim in public to be against torture, but have a track record of doing such activity. Defendants have the following pattern of exclusive capability in carrying out and attempting to conceal their torture of Plaintiffs.

Defendants are guilty of keeping aide from reaching Plaintiffs. The following is proven prima facie evidence of Defendants having an "exclusive capability politically" in that no other entity could effect containment so completely, in keeping officials from investigating Plaintiff's complaints (see exhibits 2-a-h); amounting to a fingerprint of identifying Defendant as the guilty party interfering with those Plaintiffs made complaints to including police; causing those Plaintiffs wrote to or called asking for help in stopping illegal torture to fail to respond or say that their office had nothing to do with it and could not help, amounting to a fingerprint identifying Defendant as the guilty party in illegally affecting adversely and torturing Plaintiff as virtual terrorists. Such power and authority of Defendants is borne of officially conducted fraud where the issues as a whole are weighed in accordance with the true meaning and spirit of the legislation breeched; where various Defendants as the issue here is stated acted on behest of official Defendant policy ,"Title 18, U.S.C., Section 1001 Fraud and False Statements". Such comprehensive fraud Defendant has officially perpetrated precludes Defendant from invoking immunity under Federal Tort Claims Act ("FTCA") or the "Tucker Act" absolving Plaintiffs from

having to satisfy the procedural requirements of both; as such requirements cannot exist where Defendants fraud is the basis for all actionable causes of complaint by Plaintiffs of conspiracy to "commit fraud under and by official authority". Upon a foundation of fraud what can be lawful thereafter.

C.) Plaintiff's invokes the above signatory status of Defendants regarding Defendants committing torture on Plaintiffs. Defendants claim in public to be against torture, but have a track record of doing such activity. Defendants have the following pattern of exclusive capability in carrying out and attempting to conceal their torture of Plaintiffs.

Defendants are guilty of preventing FOIA/FOIL and APPEALS from being answered to Plaintiffs. The following is proven prima facie evidence of Defendants having an "exclusive capability of authority and its permitted exemption" that no other entity could effect, in preventing Plaintiffs from obtaining FOIA/FOIL and Appeals information and where Plaintiffs have found such information from Defendants own sources on the internet is illustrated by see exhibit (see exhibits 15-a-c) together with smoking gun political acknowledgements that implants are being used (see exhibits 7-a-e), again amounting to a fingerprint identifying Defendant as party in illegally affecting adversely and torturing Plaintiff as virtual terrorists. Such power and authority of Defendants is borne of officially conducted fraud where the issues as a whole are weighed in accordance with the true meaning and

spirit of the legislation breeched; where various Defendants as the issue here is stated acted on behest of official Defendant policy, "Title 18, U.S.C., Section 1001 Fraud and False Statements". Such comprehensive fraud Defendant has officially perpetrated precludes Defendant from invoking immunity under Federal Tort Claims Act ("FTCA") or the "Tucker Act" absolving Plaintiffs from having to satisfy the procedural requirements of both; as such requirements cannot exist where Defendants fraud is the basis for all actionable causes of complaint by Plaintiffs of conspiracy to "commit fraud under and by official authority". Upon a foundation of fraud what can be lawful thereafter.

D.) Plaintiff's invokes the above signatory status of Defendants regarding Defendants committing torture on Plaintiffs. Defendants claim in public to be against torture, but have a track record of doing such activity. Defendants have the following pattern of exclusive capability in carrying out and attempting to conceal their torture of Plaintiffs.

Defendants are guilty of preventing Plaintiffs from obtaining health, peace, tranquility, general welfare. The following is proven prima facie evidence of Defendants of having an "exclusive capability in Secrecy for investigation and Wavier of Consent for experiment" that no other entity could effect, where such power is a way to officially sanction Plaintiffs for various experimental investigative purposes is illustrated by (see exhibits 4-a-m); by such self alleged permission Defendant gains control over

Plaintiff's health and welfare, again amounting to a fingerprint identifying Defendant as the guilty party in illegally affecting adversely and torturing Plaintiff as virtual terrorists. Such power and authority of Defendants is borne of officially conducted fraud where the issues as a whole are weighed in accordance with the true meaning and spirit of the legislation breeched; where various Defendants as the issue here is stated acted on behest of official Defendant policy, "Title 18, U.S.C., Section 1001 Fraud and False Statements". Such comprehensive fraud Defendant has officially perpetrated precludes Defendant from invoking immunity under Federal Tort Claims Act ("FTCA") or the "Tucker Act" absolving Plaintiffs from having to satisfy the procedural requirements of both; as such requirements cannot exist where Defendants fraud is the basis for all actionable causes of complaint by Plaintiffs of conspiracy to "commit fraud under and by official authority". Upon a foundation of fraud what can be lawful thereafter.

E.) Plaintiff's invokes the above signatory status of Defendants regarding Defendants committing torture on Plaintiffs. Defendants claim in public to be against torture, but have a track record of doing such activity. Defendants have the following pattern of exclusive capability in carrying out and attempting to conceal their torture of Plaintiffs.

Defendants are guilty of preventing Plaintiffs from obtaining relevant medical help. The following is proven prima facie evidence of Defendants of

having an "exclusive capability of influencing medical authorities" that no other entity could effect, by way of Defendants having a proven track record of preventing targeted persons from discovering they were being used as subjects; as well as Defendants instructions and techniques to prevent targeted persons that are being used experimentally from receiving medical help (see exhibits 2-a-h, 3-a-d); such are untenable allowances under the circumstances where Plaintiffs are being tortured. Again amounting to a fingerprint identifying Defendant as the guilty party in illegally affecting adversely and torturing Plaintiff as virtual terrorists. Such power and authority of Defendants is borne of officially conducted fraud where the issues as a whole are weighed in accordance with the true meaning and spirit of the legislation breeched; where various Defendants as the issue here is stated acted on behest of official Defendant policy, "Title 18, U.S.C., Section 1001 Fraud and False Statements". Such comprehensive fraud Defendant has officially perpetrated precludes Defendant from invoking immunity under Federal Tort Claims Act ("FTCA") or the "Tucker Act" absolving Plaintiffs from having to satisfy the procedural requirements of both; as such requirements cannot exist where Defendants fraud is the basis for all actionable causes of complaint by Plaintiffs of conspiracy to "commit fraud under and by official authority". Upon a foundation of fraud what can be lawful thereafter.

"All decisions by this court in regard to this independent cause of action are requested to be

given in written opinion form for purpose of appeal should dismissal of this independent cause of action occur."

-end of exhibit 2-

(EXHIBIT -3- INDEX ORIGINAL CASE 06-CV-3492 REFERENCING TO CAT)

(EXHIBIT -3- INDEX ORIGINAL CASE 06-CV-3492 REFERENCING TO CAT)

2.) EXHIBIT of Human experimentation activity, exemplifying Defendants illegal activity!

"Where complaint references the top hierarchical number of an exhibit only, it is to indicate that the reader be directed to all the sub exhibits description and where necessary the actual exhibit itself".

a.) MK-ULTRA Senate Subcommittee Investigation Hearings into Central Intelligence Agency illegal experiments with LSD and other psychoactive drugs, beating and coercion of unwitting subjects without consent. Placed as Exhibit to illustrate a pattern of abuse through covert experimentation resulting in at least one

MK-ULTRA is known to have caused the death of an FBI agent by committing suicide. some suggested was actually a part of the intended result. The reference illustrates that

b.) Tuskegee two separate articles

c.) LEAA,

d.) Radiation & Plutonium injection experiments,

e.) MK-ULTRA evidence of using electronic implanted permanent devices.

f.) In the Name of Science a book written by active PHD Professor at a State University.

Reference outlines human experimentation causing death of many subjects and repeated illegal conduct over many decades illustrating Defendants wanton disregard to life limb and the law which will be quoted in the court verbally.

g.) U.S. News and World Report article supporting evidence Defendant has been active in illegal activities historically.

h.) Further details of Defendants octopus activities in human training to blow up things under brain washed amnesia.

3.) Training Defendants by Defendants to prevent chosen targeted persons from discovering they were being used as subjects; as well as Defendants instructions and techniques to prevent such targeted persons from receiving medical help; this was done in several of Defendants officially sanctioned illegal and criminal program activities. MK ULTRA documents outlining instructions of preventing potential Plaintiffs from discovering they are targeted by Defendants.

"Where complaint references the top hierarchical number of an exhibit only, it is to indicate that the reader be directed to all the sub exhibits description and where necessary the actual exhibit itself".

a.) MK-ULTRA documents of instructions of how to lie, cheat and steal in order to keep subjects from obtaining help from medical or other authorities.

b.) More directives from Defendants agencies using every trick in the book to continue to do illegal activities with details of using microwaves on US citizens.

c.) Defendants continued illegal acts including using children as well.

d.) Reintroduction of exhibit (2 (a-h)).

4.) Law Enforcement and other agencies have statutory

permissions of investigative power and allowance to, lie to keep an investigation secret, withhold records by omission where an investigation is ongoing or pendant; presented as an exhibit in acknowledgement that such power can be used to cover-up criminal activities of law enforcement personnel in officially sanctioned acts.

"Where complaint references the top hierarchical number of an exhibit only, it is to indicate that the reader be directed to all the sub exhibits description and where necessary the actual exhibit itself".

a.) TITLE 5 PART I CHAPTER 5 SUBCHAPTER II § 552

b.) TITLE 50 CHAPTER 36 SUBCHAPTER I Sec. 1805. Sec. 1805. - Issuance of order

c.) Exhibit: Secret covert policy collaboration of airline "industry" working as virtual government agents, where the entire airline industry used lists from government to refuse such people from flying, among the notables who was refused to be allowed to board four separate flights was Senator Edward Kennedy. This Exhibit inclusion demonstrates a conspiracy between government and an entire industry to affect individuals lives thus such by example can as is suspected that the medical community is now as well being subjected to a similar order where subjects whom are for whatever reason are implanted with electronic tracking devices that injure the person are under a similar pressure from so called "national security" regulations or cautions from authorities not to help

such persons, and therefore as a parallel to the airline industry circumstantially indicts authorities not with preventing people to fly but from alleviating torture which can cause immune system depreciation and disease or death, such is illegal, criminal and possibly treason.

d.) Exhibit: Patriot Act where breeches of its limits and extremes are examined by public article. Included to illustrate that legislation is constantly continuously abused and that one can circumstantially draw the conclusion that policy of administrators laxity contributes to these and possibly to the abuse of Plaintiff directly.

e.) Exhibits of Federal Intelligence Surveillance Agency defined directives and an article outlining serious division between FISA and the DOJ as to overlapping enforcement policy here used as critical reference outlining the official power, authority and capability to grant permissions to various law enforcement authorities to conduct surveillance according to such. Furthermore from news, legal archives, abuse of power and false profiling being reported have and will occur due to dependence and excessive trust in those that use FISA permission investigation powers as well as the Department of Justice and its associates including Homeland Security and its associates.

illustrating that such permissions are only as valid, legal and patriotic as the law enforcement officer or petitioner seeking permission to conduct surveillance under such legislative authority creates.

a legitimate profile of any targeted person; wherein such profiles can be extensions of personal fishing expeditions, bolstering budgets, treasonous purposes, criminal purposes where incorporating excessive force through high technology can cause harm to the targeted individual such as Plaintiff.

f.) Exhibits of interrelation between the Department of Defense and the Department of Justice illustrating the cohesive transfer of military and covert intelligence technology to the Department of Justice. Where Plaintiff can as a result be subjected to such as complaint states. The reference additionally illustrates that unethical, illegal and potentially treasonous activity is and has been potentially going on with regard to Plaintiff ,maybe being affected by authorities behavior in using such devices as have been technology transferred to the DOJ and subsequently to other law enforcement agents and their associates.

f.) Exhibit: Newspaper article from the "Washington Post" apprising the public of the agreement for allowance to transfer technology from the Dept. of Defense to the Dept. of Justice. This illustrates that the law enforcement community at large together with their associates and other agencies as well have had high technology given where it being military in nature may have been and can be proven to have proprietary military secret engineering such as is possible to manufacture implants with capabilities beyond what is commercially known and

available to the public involved in regards to Plaintiffs complaint.

II.) Exhibit: Memorandum Of Understanding underscoring the issue that high technology is being used by various law enforcement agencies and their associates and that further the color of indications with regard to such technology being used requiring doctors and dentists to install becomes relative as to the device type and assertion as to need by any such operative with such technology to have elected Plaintiff to use such technology on her; especially when the trend of law enforcement in its abuses and infiltration by foreign agents is well documented in the public record of any law document archive with federal court documents available.

III.) Exhibit: National Law Enforcement and Corrections Technology Center reference illustrating the development and implementation of technology and its deployment into various agencies potentially finding its way to having been used on plaintiff. Furthermore the NLECTC faith to consider embarked upon technologies of an implanted nature for incapacitating inmates as part of their study. To which Plaintiff in researching capability as to incapacitating a person can assert that as per understanding only general and superficial information it is obviously possible to have a radio controlled

output from an Radio Frequency Interference Device charge a capacitor within such a simple circuit and discharge into brain or nervous system to cause various in capacitance of an individual further illustrating Plaintiff could be a target of such a devices that seem to those not professional in such art as simple and have in fact been demonstrated in books and references throughout the subject of " history of mind control books" as a topic in books available on the internet, Amazon.com and the Library of Congress.

g.) Department of Energy, ACHRE Report "Secrecy and Wavier" outlining how Defendants claim the right to do covert experiments and informed consent in secret research can be waived. On web page
http://www.eh.doe.gov/ohre/roadmap/achre/summary.html

h.) Threat Assessment Program outlining instructions for Federal, State and Local authorities investigational techniques where such authorities are educated as to use of staged intersection with persons under investigation to influence them through such environment being modified.

i.) Law enforcement program investigation methods utilizing neighbors surrounding area around a person under investigation as virtually deputized as informants. Such actions of using neighbors is a way of turning such people against a person being

investigated; its well known many investigations are mere fishing expeditions and yet they do damage to relations between the neighbors involved in this tactic.

j.) Federal, State and Local authorities planned programs of implanting tracking devices and other technical capabilities.

k.) Defendants agency with written matter educating the public as to their illegal allowance to do covert harmful experimentation. Other remarks are from Supreme Court Judges pertinent to Defendants illegal acts against a U.S. citizen where such remarks were that such Plaintiffs should be afforded compensation for such abuse.

l.) Bioethics Advisory report outlining in particular that Defendants associates such as IRB's (Institutional Review Boards) are allowed to experiment on humans and waive consent requirements to do such things covertly.

m.) Defendants statutes for implementation of DOD technology, logistics and support to civilian authorities. Where the issue is that only Defendant has the capability to do those things described by Plaintiffs in this complaints "Discussion". Two citations in regards to this are and ,

6.) Defendants exhibits of their sophisticated electronic devices.

"Where complaint references the top hierarchical number of an exhibit only, it is to indicate that the reader be directed to all the sub exhibits description and where necessary the actual exhibit itself".

a.) For decades animals have had tiny implanted transmitters surgically installed in their bodies and tracked by satellite surveillance. Illustrating that the utterances of Law enforcement that such technology is new and suddenly understood only by the recent appearance of the Verichip Corp's GPS device "digital angel" a planned theatric to make the issue appear as if they only now have such capability; whereas such implanted tracking of individuals has been covertly done for decades by " Special Agents" whom have authority to do such bugging.

b.) Verichip Corp, subsidiary Applied Digital Inc. article about the digital angel GPS for tracking humans and has former Health and Human Services Head Tommy Thompson on the board of directors; mentioned where such technology seems well known to highly placed authorities involved with a US Government agency once reported engaged in not only implanting the homeless but other stories indicate a nationwide implanting of newborns mentioned by the retired chief health officer of Finland.

c.) Former Chief Medical Officer of Finland Rauni-Leena Luukanen-Kilde, MD
December 6, 2000. Detailed knowledge from her about secret testing of implanted microchip devices makes it abundantly clear that such activity was being done by the United States long ago and today.

d.) Cochlear implant and brain stem hearing implant can and are believed to be used by Defendant as attack weapons on victims, implanted covertly and manufactured entirely of plastic and conductive plastic to evade detection by medical scans showing us as identical to human tissue and bone.

e.) Evidence that Defendant has been able to incorporate conductive plastic in implanted in the body devices making them invisible to medical scan detection.

f.) Defendants FBI, DOJ and associates bragging appropriately about their ability and knowledge to manufacture devices for covert tracking of targeted individuals as well as a NON-DETECTABLE transmitter. Such exhibits illustrate Defendants capability according to their mandate of excellence in spy technology to for example manufacture a device for in the body installation in the ear for example, which it transmission frequency cannot be detected by electronic methods and cannot be imaged by medical devices because of its being fabricated by conductive plastics.

g.) Neural chip for reading brainwaves touted as able to read minds. Again with Defendants intelligence community and all resources mandated to provide excellence in gathering information such devices are in Defendants tool kit of MK-ULTRA activity.

h.) Transmitter communications for implanted devices. Again with Defendants intelligence

community and all resources mandated to provide excellence in gathering information such devices are in Defendants tool kit of MK-ULTRA activity.

i.) Devices for installation in the body able to deliver shocks of electrical discharge remotely. Again with Defendants intelligence community and all resources mandated to provide excellence in gathering information such devices are in Defendants tool kit of MK-ULTRA activity.

j.) Mentions specific use of satellite communication radio frequency transmitters have alternate use as radio beam weapons. So Defendant in DOD sharing with DOJ programs are testing such devices to communicate a cell phone conversation to a person and then use the same transmission to zap them with intense bursts of energy. Again with Defendants intelligence community and all resources mandated to provide excellence in gathering information such devices are in Defendants tool kit of MK-ULTRA activity.

k.) Mentions specific technical capability to use a radio frequency beam to hit a target on earth to injure or destroy it or for secure communications. Such technical capability purports to allow such hybrid energy to overcome previous limitations of physics related technical problems to be able to hit a far away target with the energy not dissipating along the way from divergence or diminishment of absorption. So Defendant in DOD sharing with DOJ programs are testing such devices to locate a person implanted covertly with a GPS and then use the

location coordinates to zap them with intense bursts of energy. Again with Defendants intelligence community and all resources mandated to provide excellence in gathering information such devices are in Defendants tool kit of MK-ULTRA activity.

l.) Defendants SEIZURE GUN operating using radio frequency to heat the person not only so that a seizure is induced, DEFENDANT is using such devices and their hybrids at continual lower level. Recognize also such output energy is possible to cause an implant in the body to output causing heat stroke, delirium along with immune system destruction.

m.) Set 1 DOD and DOJ, NIJ so called non-lethal weapons technologies.

n.) Set 2 More DOD and DOJ, NIJ so called non-lethal weapons technologies with numerous official citations of Defendants associates.

o.) Set 3 More DOD and DOJ, NIJ so called non-lethal weapons technologies with numerous official citations of Defendants associates. Comprised of US News and World Report article together with DOD, DOJ, Police Department official citations regarding highly sophisticated technical devices and patents pointing to Defendant and its myriad organizations working albeit it separately but in great concert together, where invariably the culmination of such work leads to testing of such technologies by Defendant and associates apparently on Plaintiffs.

7.) Mind Control Technology. Exhibits of implant able microchips to track animals for decades and people; together with additional related supporting technical references, such as the capability to use polymer conductive plastic not only to fabricate many varieties of implant using plastic which cannot be seen in medical X-Rays, MRI's, CAT scans as easily differentiated, due to additional camouflaging by odd shaping to mimic tissue and general opacity. As well to illustrate the ability of industry with certain of its intelligence agencies to have fabricated implant able microchips that are virtually invisible to detection processes that are ordinarily used and to detect them requires extraordinary techniques. It is always to be understood that government and industry in secrecy are some (7 - 30) years or more ahead technologically than the public is apprised of their advanced capability and this fact can easily be ascertained merely by review of programs of the Department of Defense department DTIC information data base available in part to the public upon request.

"Where complaint references the top hierarchical number of an exhibit only, it is to indicate that the reader be directed to all the sub exhibits description and where necessary the actual exhibit itself".

a.) Defense Advanced Research Projects Agency (DARPA) report by DARPA managers giving an overview into declassified data and information enumerating on the do-ability of declassified technology related to neural implants. Stress is on the word declassified as the issue here is that government does have a lead some 20 to 50 years ahead of currently publicly disclosed information on the subject wherein the actual advanced state of the

art can easily be considered as well beyond that written about in this exhibit. In addition should this issue be of concern in relation to how it is presented a witness with considerable expertise in many government programs is willing to come to any court proceeding and enumerate his credentials and make a statement as to the fact that government is indeed many years ahead in many areas including miniaturization and other aspects of government secrecy where he will state they won't admit to having such devices is par for the course.

b.) Defendants US Patent of retina implant as well as defense contractor located in Suffolk County N.Y. and giant corporation NEC having to do with implanted devices in the head to allow persons to communicate with each other and a method to change the emotional state of a person at a distance. Such capabilities by Defendant and associates in DOD sharing with DOJ programs are testing such devices to locate a person implanted covertly with a GPS and then use the location coordinates to zap them with intense bursts of energy. Again with Defendants intelligence

c.) Defendants US Patent of retina implant as well as defense contractor located in Suffolk County N.Y. and giant corporation NEC having to do with implanted devices in the head to allow persons to communicate with each other and a method to change the emotional state of a person at a distance. Such capabilities by Defendant and associates in DOD sharing with DOJ programs are testing such devices to locate a person implanted covertly with a

GPS and then use the location coordinates to zap them with intense bursts of energy. Again with Defendants intelligence community and all resources mandated to provide excellence in gathering information such devices are in Defendants tool kit of MK-ULTRA activity.

d.) Wisconsin Statute outlaw implanted devices without consent, Assembly Bill 290 introduced in April 4, 2005 has been signed into law.

e.) Senator Biden's statement to Supreme Court Nominee apparently with knowledge that implants covertly have and are being used, tells nominee Roberts that he will rule on the legality of people being tracked 24/7, stressing he would rule on such a matter.

11.) Electrical energy sensor recognized by the IEEE and the Center of Disease Control where levels of energy over a specific value are noted for their effects on human physiology and that Plaintiffs are regularly exposed to such dangerous levels using implanted devices charged by Defendants using radio frequency transmissions much the same as RFID and Crystal radio technology and then discharged at dangerous levels and modulated at specific frequencies that cause specific effects. Device is available upon request.

"Where complaint references the top hierarchical number of an exhibit only, it is to indicate that the reader be directed to all the sub exhibits description and where necessary the actual exhibit itself".

a.) Center for Disease Control information on the effects of milliamp energy on human beings and the limits and physiological reactions associated with levels of exposure to milliamp current.

b.) IEEE Standard C95.3-2002 where within his standard specific devices are references that are used to measure current in the body; these methods and techniques being the only means of reliable measurement. Such device Plaintiffs have obtained are described in part "5.6 Instruments for measuring Induced (body) current". The device obtained conforms or exceeds the specifications of this standard. Sensor used available upon request by the Court.

c.) Plaintiffs suffered attacks by Defendant as follows:

I.) Plaintiff Deborah Lamb

II.) Plaintiff John Mecca

d.) Sensor complying or exceeding standard IEEE Standard C95.3-2002, available at the Courts request.

15.) Evidence Plaintiffs discovered coming from Defendants themselves that counters Defendants FOIA responses, where Defendant says they don't have any information Plaintiffs requested.

"Where complaint references the top hierarchical number of an exhibit only, it is to indicate that the reader be directed to

all the sub exhibits description and where necessary the actual exhibit itself".

a.) Plaintiff found Implant / GPS tracking technology relevant to FOIA & APPEALS requests by Plaintiffs showing Defendants have such information and or are hiding it from release via that process.

I.) Suffolk County Police Cars with GPS Tracking antenna array where 4 antenna's are used to track GPS signals.
II.) New York Attorney has his car GPS tracked by police.
III.) Suffolk County Police technology grant for GPS dated 1998.
IV.) Suffolk County Probation tracking device for those on probation.
V.) NLECTC, National Law Enforcement and Corrections Technology Center knowledge and mention of GPS as if it were very widely used.

b.) See Through the Wall technology relevant to FOIA & APPEALS requests by Plaintiffs showing Defendants have such information and or are hiding it from release via that process.

I.) NIJ See through the wall radar illustrates Police and agencies know about such NIJ in conjunction with a Defense program knows about see through the wall radar.
IV.) More from NIJ see through the wall radar and technology.

c.) Implanted tracking and monitoring devices relevant to FOIA & APPEALS requests by Plaintiffs showing Defendants have such information and or are hiding it from release via that process.

I.)DARPA INTERNAL REPORT
II.) U.S Dept. Justice testing of subcutaneous tracking devices.
III) Sen. Biden remarks as to the inferred existence of subcutaneous tracking devices.

-end of exhibit 3-

(EXHIBIT -4- Inference for Geneva Convention coverage)

(EXHIBIT -4- Inference for Geneva Convention coverage)

II. Summary of Complaint:
Distinct and Separate Causes of Action's (A-F)

Plaintiff's as well make the point in this complaint that they "have standing" in the legal definition sense, where it gives Plaintiff's the right to bring this complaint into court by virtue of exhibits illustrating refusal of authorities to help Plaintiff's, just as was done to victims of MK-ULTRA, Tuskegee syphilis, Guantanamo and international secret torture jails and of LEAA experiments and others too numerous to mention.

So then Plaintiff's demand the Court deprive Defendants of certain rights where they do not have to answer this complaint fully, such as where Defendants often use excuses of "ongoing investigations and or national security issues; because of the criminal nature of actions Plaintiff's claim Defendant is doing to them mentioned in this complaint. Additionally such actions of Defendant analyzed in a broader way are of treason; where such activities are illustrated to have decreased the security of the country. Exhibits are cited supporting the above cause of action are in (VI. COMPLAINT DISCUSSION)}.

In regard to any defense of the Defendant's action there can be no evasion of the "long Arm of The Law".

B. As a single and separate cause of action:

Plaintiffs make this request of the Court because Defendant

has a proven track record historically of illegal, unethical and unconscionable activities often resulting in permanent injury, illness and death. Plaintiff's call into evidence Defendant programs MK-ULTRA, Tuskegee syphilis, and LEAA experiments, Guantanamo and international secret torture jails, and many others too numerous to mention here. Additionally as supporting evidence there are also exhibits illustrating Defendants have a track record of hiding, destroying evidence and training their personnel to do so.

D.) As a single and separate cause of action:

Plaintiff's rightfully addresses the issue of "standing" as an issue due to Defendants track record of abuse related to falsely answering Defendant's FOIA/FOIL 's and Appeal's illustrated by "Cause of Action (A), as well as proven track record historically of illegal, unethical and unconscionable activities often resulting in permanent injury, illness and death. Plaintiff's call into evidence Defendant programs MK-ULTRA, Tuskegee syphilis, and LEAA experiments, Guantanamo's international secret torture jails, and many others too numerous to mention here. Additionally as supporting evidence there are also exhibits illustrating Defendants have a track record of hiding, destroying evidence and training their personnel not only to hide information but to use covert methods in preventing subjects from receiving medical help.

1. Legislation breeched:

§ 1361 |

§ 1361. Action to compel an officer of the United States to perform his duty

Release date: 2005-09-29

2. Legislation breeched:

Section 802 of the USA PATRIOT Act (Pub. L. No. 107-52) expanded the definition of terrorism to cover "domestic," as opposed to international, terrorism. A person engages in domestic terrorism if they do an act "dangerous to human life" that is a violation of the criminal laws of a state or the United States, if the act appears to be intended to: (i) intimidate or coerce a civilian population; (ii) influence the policy of a government by intimidation or coercion.-

-end of exhibit 4-

PROOF OF SERVICE

DOCKET NO. 07-706

IN THE

Supreme Court of the United States

OCTOBER TERM, 2007

JOHN MECCA & DEBORAH RAE LAMB,
Petitioner's,
vs.
UNITED STATES OF AMERICA,
Respondent.

PROOF OF SERVICE
pursuant to 28 U. S. C. § 1746.

I, John Mecca, do swear,

or declare that on this date, March 12, 2008,

I, Deborah Rae Lamb, do swear,

or declare that on this date, March 12, 2008,

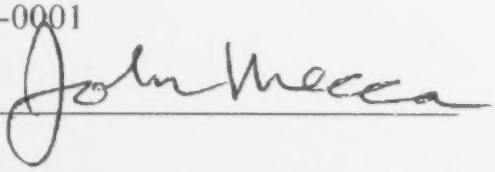
,as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED and PETITION FOR REHEARING on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in

the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as Commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are:

Solicitor General of the United States
Paul D. Clement
Room 5614
Department of Justice
950 Pennsylvania Ave., NW
Washington, D.C. 20530-0001

(Signature Petitioner 

(Signature Petitioner